

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

RICHARD D. POLLEY and
LINDA RADFORD,

Plaintiffs,

v.

CIV 11-0861 KG/SCY

XUREX, INC.,
formerly known as
XUREX Nano-Coatings Corp.,

Defendant.

ORDER SETTING BRIEFING SCHEDULE

THIS MATTER is before the Court following a hearing on XUREX's *Motion for Reconsideration* (Doc. 106) held on July 15, 2014. The Court, having heard from attorney for Plaintiffs and attorney for Defendant, defers ruling on the Motion for Reconsideration and hereby

(1) orders supplemental briefing on the Motion to Reconsider as to whether ratification by XUREX satisfies Fla. Stat. Ann. §607.0832(a);

(2) sets the following deadlines for the supplemental briefing:

(a) Defendant's supplemental brief is due no later than July 25, 2014;

(b) Plaintiffs' response to Defendant's supplemental brief is due no later than
August 1, 2014;

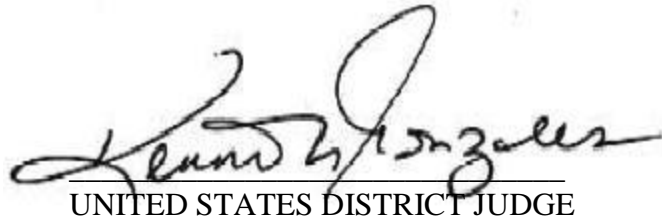
(3) allows motions for summary judgment on the issue of successor liability; and

(4) sets the following deadlines for the parties to file motions for summary judgment on the issue of successor liability:

(a) any motion for summary judgment must be filed no later than July 25, 2014;

(b) responses to any motions for summary judgment must be filed no later than August 1, 2014; and

(c) replies must be filed no later than August 8, 2014.



UNITED STATES DISTRICT JUDGE